

REMARKS/ARGUMENTS

Applicants have received the Office Action dated January 22, 2007, in which the Examiner: 1) rejected claims 1-27 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter; 2) rejected claims 1-6, 11-18, 24, 25 and 27 under 35 U.S.C. § 102(b) as anticipated by Huberman et al. (“Enhancing Privacy and Trust in Electronic Communities,” hereinafter “Huberman”); 3) rejected claims 7, 10, 20-23 and 26 under 35 U.S.C. § 103(a) as obvious under Huberman in view of Yeager et al. (U.S. Pub. No. 2004/0133640, hereinafter “Yeager”); 4) rejected claims 8 and 9 under 35 U.S.C. § 103(a) as obvious under Huberman in view of Yeager and further in view of Zacks et al. (U.S. Pub. No. 2004/0192383, hereinafter “Zacks”); and 5) rejected claim 19 under 35 U.S.C. § 103(a) as obvious under Huberman in view of Zacks. With this Response, Applicants amend claims 1, 11, 24 and 26. Based on the amendments and arguments herein, Applicants respectfully submit that this case is in condition for allowance.

I. REJECTIONS UNDER 35 U.S.C. § 101

The Examiner rejected independent claims 1, 11 and 24 (and, by extension, all dependent claims) for allegedly failing to recite a “practical application or at least [a practical application] made available for use.” Applicants amend claim 1 to require “if the third encoded value matches the fourth encoded value, initiating contact between users of said communication devices.” Independent claims 11 and 24 are amended with similar limitations. Because such a limitation clearly constitutes a “useful, tangible and concrete result” as required by MPEP 2106, Applicants kindly request that the Examiner remove this rejection.

II. REJECTIONS UNDER 35 U.S.C. § 102(b)

As amended, independent claim 1 requires multiple mobile communication devices which perform at least some of the processes recited in claim 1. Huberman fails to teach or even suggest a mobile communication device. Further, because Huberman fails to disclose a mobile communication

device, Huberman certainly fails to disclose "...initiating contact between users of said [mobile] communication devices," as required by claim 1. None of the art of record satisfies these deficiencies of Huberman. For any or all of these reasons, claim 1 is patentable over all combinations of the art of record.

Independent claims 11 and 24 are amended in a manner similar to claim 1. Thus, independent claims 11 and 24 are patentable over all combinations of the art of record for at least the same reasons as is claim 1. Further, because independent claims 1, 11 and 24 are patentable over all combinations of the art of record, dependent claims 2-10, 12-23 and 25-27 also are patentable over all combinations of the art of record.

III. REJECTIONS UNDER 35 U.S.C. § 103(a)

As mentioned, dependent claims 7, 10, 20-23 and 26 stand rejected under 35 U.S.C. § 103(a) as obvious under Huberman in view of Yeager, dependent claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as obvious under Huberman in view of Yeager and further in view of Zacks, and dependent claim 19 stands rejected under 35 U.S.C. § 103(a) as obvious under Huberman in view of Zacks. However, as explained above, dependent claims 7-10, 19-23 and 26 are patentable at least because they depend on independent claims which are patentable over all combinations of the art of record. For at least this reason, Applicants respectfully request that the Examiner remove this rejection.

IV. CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

**Appl. No. 10/695,198
Amdt. dated April 23, 2007
Reply to Office Action of January 22, 2007**

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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